Congress of the United States House of Representatives

Washington, DC 20515-0550

December 14, 2021

The Honorable Nancy Pelosi Speaker of the House of Representatives H-232, The Capitol Washington, D.C. 20515

Dear Speaker Pelosi:

Last week, the Senate passed on a bipartisan basis a resolution to nullify President Biden's vaccine mandate for private businesses under the *Congressional Review Act.*¹ We write to urge the immediate consideration of Senate Joint Resolution 29 (S. J. Res. 29) in the House of Representatives before the chamber recesses for the holidays.

S. J. Res. 29 provides for congressional disapproval of the Occupational Safety and Health Administration's (OSHA) emergency temporary standard requiring all private-sector employers with 100 or more employees to adopt a mandatory COVID-19 vaccination policy for their workers or require employees who choose not to get vaccinated to undergo weekly testing and wear a mask in the workplace. On November 12, the U.S. Court of Appeals for the Fifth Circuit reaffirmed its November 6 order staying the mandate on the grounds that it grossly exceeds OSHA's statutory authority and raises serious constitutional concerns.²

Given the great consequence this matter has for all our constituents, the House of Representatives has a special responsibility to vote on S. J. Res. 29. The OSHA mandate represents an unacceptable and unlawful overreach by the federal government, and it will cause irrevocable harm to our nation's businesses and workforce.

With the overwhelming support for Representative Keller's identical legislation, House Joint Resolution 65, which has 212 cosponsors, we respectfully urge the immediate consideration of S. J. Res. 29 in the U.S. House of Representatives.

Sincerely,

Darrell Issa

Member of Congress

Fred Keller

Member of Congress

Fred Keller

¹ Biden vaccine mandate: Senate votes to overturn OSHA rule (cnbc.com)

² BST Holdings, L.L.C. v. OSHA, No. 21-60845 (5th Cir. Nov. 12, 2021) (order reaffirming stay).

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